

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>STAMAR RICHARD MILLER,</b>	:	
Plaintiff,	:	
	:	
v.	:	<b>CIVIL ACTION NO. 23-CV-1712</b>
	:	
<b>ESQ. DEAN BROWNING,</b>	:	
Defendant.	:	

**ORDER**

AND NOW, this 2nd day of June, 2023, upon consideration of Stamar Richard Miller's Motion to Proceed *In Forma Pauperis* (ECF No. 5), Prisoner Trust Fund Account Statement (ECF No. 4), and *pro se* Complaint (ECF No. 1), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Stamar Richard Miller, #20002351, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of George W. Hill Correctional Facility or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Miller's inmate account; or (b) the average monthly balance in Miller's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Miller's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Miller's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of George W. Hill Correctional Facility.

4. The Complaint is **DEEMED** filed.

5. The Clerk of Court is **DIRECTED** to correct the spelling of the Defendant's name to read "Deon Browning, Esq."

6. Miller's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

7. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

*/s/ John Milton Younge*  
**JOHN MILTON YOUNGE, J.**